

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

ROBERT DEREK LURCH, JR.,

Plaintiff,

v.

POLICE OFFICER DANIEL BERNAL,
et al.,

Defendants.

Civil Action No. 22-1506 (SDW) (SDA)

WHEREAS OPINION AND ORDER

August 22, 2024

WIGENTON, District Judge.

THIS MATTER having come before this Court upon *pro se* Plaintiff Robert Derek Lurch, Jr.'s ("Plaintiff") Motion for Default Judgment or to Compel Defendants to Answer Plaintiff's Complaint (D.E. 42 ("Motion")); and

WHEREAS Plaintiff has not effected service of the Amended Complaint upon Defendants Dr. Ariel Sena and R.N. Robson Roblett (the "New Defendants"); and

WHEREAS this Court previously ordered that Plaintiff be permitted to effect service upon the New Defendants using the USM-285 form (D.E. 34); and

WHEREAS Plaintiff requested assistance with obtaining the service addresses for the New Defendants (D.E. 36); and

WHEREAS Plaintiff's request was denied as moot (D.E. 40) given that Plaintiff included service addresses for the New Defendants in the Amended Complaint (D.E. 39); therefore

IT IS, on this 22nd day of August 2024,

ORDERED that the Clerk of Court shall send Plaintiff sufficient copies of the USM-285 forms to obtain service of the Amended Complaint on the New Defendants; and it is further

ORDERED that Plaintiff shall have thirty (30) days within the entry of this Order to complete and return the USM-285 forms with the New Defendants' addresses to the Clerk of Court, Martin Luther King Building & U.S. Courthouse, 50 Walnut Street, Newark, NJ 07101; and it is further

ORDERED that upon receipt of the completed forms by the Clerk of the Court, the Clerk shall issue summons, and a United States Marshal shall serve a copy of the amended complaint (D.E. 39), summons, and this Order upon Defendants Dr. Ariel Sena and R.N. Robson Roblett, pursuant to 28 U.S.C. § 1915(d), with all costs of service advanced by the United States; and it is further

ORDERED that Defendants Dr. Ariel Sena and R.N. Robson Roblett shall file and serve a responsive pleading within the time specified in Federal Rule of Civil Procedure 12, pursuant to 42 U.S.C. § 1997e(g)(2); and it is further

ORDERED that the Clerk of Court shall administratively terminate Plaintiff's Motion and shall serve a copy of this Order on Plaintiff by regular mail.

SO ORDERED.

/s/ Susan D. Wigenton
SUSAN D. WIGENTON, U.S.D.J.

Orig: Clerk
cc: Parties
Stacey D. Adams, U.S.M.J.